

STATE AND DISTRICT OF MONTANA, GREAT FALLS DIVISION  
GREAT FALLS, MONTANA

IN THE MATTER OF THE SEARCH  
OF

**Snapchat account username:**  
**"cbtmc25"**

Case No. MJ 20-12-GF-JTJ

**Filed Under Seal**

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

I, Ryan Kacher, a Special Agent with the Federal Bureau of Investigation (FBI), Salt Lake City Division, Havre, Montana Resident Agency being duly sworn, depose and state as follows:

**Introduction**

1. I am a Special Agent of the FBI and have been so employed since October 2014. I am currently assigned to investigate violent crimes in Indian Country out of FBI Salt Lake City Division's Havre Resident Agency.
2. I have participated in the execution of dozens of search warrants pursuant to firearms, narcotics, national security, crimes against children, white collar crimes and other violent criminal investigations. I graduated from the FBI training academy which provided training in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, firearms evidence seizure and processing, and various other criminal laws and procedures.

3. I write this affidavit to establish probable cause to support a search warrant for the Snapchat account used by T.H. (year of birth: 2006; hereinafter Jane Doe) as described in Attachment A, for the items listed and described in Attachment B.

4. The statements contained in this affidavit are based upon my investigation, training, experience, and information provided by other sworn law enforcement officers whom I believe to be competent and reliable. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known concerning this investigation. I have set forth only the facts I believe are necessary to establish probable cause to support a search warrant to secure evidence and instrumentalities of violations of 18 U.S.C. §§ 1152 and 2243(a), that being sexual abuse of a minor; and 18 U.S.C. §2251(a), that being production of child pornography.

#### **Relevant Statutes**

5. According to 18 U.S.C. §2243(a), Whoever, in the special maritime and territorial jurisdiction of the United States...engages in a sexual act with another person who has attained the age of 12 years but has not attained the age of 16 years; *and* is at least four years younger than the person so engaging; or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both.

6. According to 18 U.S.C. §2251(a), Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in...any sexually explicit conduct for the purpose of

producing any visual depiction of such conduct...shall be punished as provided under subsection (e).

### **Probable Cause**

7. On the night of January 21, 2020, at approximately 11:02 pm, Officer Thomas Parisian of Rocky Boy Police Department (RBPd) was on patrol. While traveling westbound on Lower Box Elder Road on the Rocky Boy's Indian Reservation, Officer Parisian observed a vehicle parked at the rodeo grounds with all the exterior lights off. Due to the time of night and the fact that no rodeo was going on, Officer Parisian decided to check on the vehicle. When he turned onto the rodeo grounds the vehicle's headlights came on and the driver attempted to drive away. Officer Parisian activated his overhead emergency lights and initiated a traffic stop.

8. As Officer Parisian approached the vehicle he observed the back windows were fogged over. He approached the driver who identified himself as Christopher Brown (BROWN). Officer Parisian also observed a female, Jane Doe, reclined in the passenger seat. Officer Parisian contacted RBPd Sergeant Stump and requested assistance.

9. Officer Parisian and Sergeant Stump split up and individually collected statements from BROWN and Jane Doe. Statements provided by BROWN and Jane Doe contradicted each other. Each claimed the other had initiated their meeting that night. Officer Parisian contacted dispatch and learned that Montana Highway Patrol (MHP) had an active warrant for BROWN. RBPd contacted MHP and MHP requested that BROWN be detained until an officer was able to pick BROWN up to be taken into custody.

10. On January 22, 2020, your Affiant made contact with BROWN at RBPB headquarters in Box Elder, Montana. In a recorded interview, BROWN waived his 5th amendment rights and consented to an interview. BROWN provided the following information:

- a. BROWN was a basketball coach for Rocky Boy Middle School and Rocky Boy High School<sup>1</sup>. In this capacity, he served as a mentor and coach to youth on Rocky Boy's Indian Reservation. Through his work as a coach and through relationships with friends, BROWN became acquainted with Jane Doe.
- b. Sometime in the middle of July of 2018, BROWN, picked up Jane Doe from her home in his car, a black Chevrolet Malibu. They drove around for a little while before parking the car by Rocky Boy High School on Rocky Boy's Indian Reservation. Jane Doe asked BROWN if he wanted to have sex. He said, "Not really." He felt it would not have been good because of their age difference. BROWN recalled Jane Doe was 12 years old at that time and he was 29 or 30. They began kissing and eventually engaged in vaginal sex on the back seat of the car. BROWN wore a condom when he penetrated Jane Doe's vagina with his penis. That was the first of six times BROWN and Jane Doe had sex with each other.
- c. Toward the end of July 2018, BROWN and Jane Doe had sex again in the same car and in the same sexual position but they did not use a condom. BROWN

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<sup>1</sup> After this interview it was revealed that BROWN was briefly employed as a tutor in November 2018, in Rocky Boy School's after-school tutoring program, but any coaching he provided to Rocky Boy's youth was performed in an unofficial capacity.

either ejaculated on the car seat or into a towel. They parked at a different place on the side of the road on Rocky Boy's Indian Reservation.

- d. The third and fourth sexual encounters occurred in August and September 2018, near the same location as the second sexual encounter.
- e. The fifth sexual encounter between BROWN and Jane Doe did not occur until September 2019. BROWN took a one year break from having sex with Jane Doe because he did not like the situation and knew it was wrong. He was paranoid because he knew what he was doing was illegal. The burden of knowing what he did was "hard to live with and something [he] thought about consistently."
- f. The sixth and final sexual encounter between BROWN and Jane Doe occurred in November 2019. They did not use a condom. BROWN used his cell phone to produce a video of this sexual encounter. He did not share the video with anybody.<sup>2</sup>

11. BROWN explained to your Affiant that he communicated with Jane Doe through the Snapchat app on his cell phone. BROWN believed he likely had pictures of him and Jane Doe together on Snapchat, including pictures of her wearing just a t-shirt and panties. BROWN shared sexually explicit images of himself, including images of his erect penis, with Jane Doe. BROWN provided his Snapchat username as "cbtmc25" and Jane Doe's Snapchat username as "taizj60".

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<sup>2</sup> Pursuant to a federal search warrant issued on January 24, 2020, your Affiant searched the cell phone belonging to BROWN and discovered the video described above which was dated January 2, 2020, within BROWN's phone.

12. On January 22, 2020, Jane Doe was seen by A. Kellam, a Pediatric Sexual Forensic Medical Examiner, at Northern Montana Health Care, in Havre, Montana. Jane Doe gave the following information to A. Kellam:

- a. Jane Doe had sex with BROWN approximately six times. BROWN was approximately 31 years old. The first time they had sex was in July 2019. They had sex in a car about five times and once in a motel in Havre. They used a condom on only one occasion. When they had sex, BROWN penetrated Jane Doe's vagina with his penis. BROWN performed oral sex on Jane Doe once. The most recent time they had sex was December 2019.

13. On January 28, 2020, Jane Doe was forensically interviewed by a FBI certified Child Forensic Interviewer. During that recorded interview Jane Doe admitted to being involved in a sexual relationship with BROWN. However, Jane Doe disclosed that hers and BROWN's sexual relationship began in July 2018 and they continued to have sex several times per month, continuing through the end of 2019. Jane Doe confirmed that she and BROWN communicated and shared images with each other over Snapchat. Jane Doe provided the Snapchat account usernames for her account and for BROWN's account, which matched the usernames previously provided by BROWN and described in this affidavit.

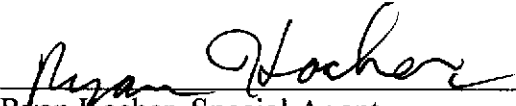
14. On January 28, 2020, your Affiant submitted a preservation request to Snapchat and received confirmation the same day that Snapchat would honor that request by preserving account information related to the two aforementioned Snapchat accounts for 90 days.

15. On January 23, 2020, your Affiant confirmed with the Rocky Boy's Tribal Enrollment Book that Jane Doe is an enrolled member of the Chippewa Cree Tribes, a federally recognized Indian tribe.

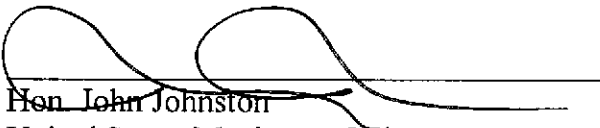
**Conclusion**

16. Based on the foregoing information, there is probable cause to believe that BROWN has violated federal statutes 18 U.S.C. §§ 1152, 2243(a) and 2251(a), and that evidence of those violations exists in the Snapchat accounts previously described. Specifically, Snapchat accounts "cbtmc25" and "taizj60" will likely contain sexually explicit images shared between BROWN, an adult male, and Jane Doe, a juvenile female. Furthermore, the accounts will likely contain chat dialog between BROWN and Jane Doe providing insight into the nature of their relationship.

17. I therefore respectfully request that the attached warrant be issued authorizing the search and seizure of items listed in Attachment A and Attachment B.

  
Ryan Kacher, Special Agent  
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO before me this 11<sup>th</sup> day of February 2020.

  
Hon. John Johnston  
United States Magistrate Judge